



Section/EXT(1)/#22
3/27/02
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this RESPONSE TO RESTRICTION REQUIREMENT and enclosed documents are being deposited with the United States Postal Service on the date indicated below with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Ariel Fletcher
Ariel Fletcher

3/6/2002
Date of Deposit

Applicant: Brooks, et al.

Serial No.: 09/081,522

Filed: May 19, 1998

Title: METHODS AND COMPOSITIONS USEFUL
FOR INHIBITION OF ANGIOGENESIS

Group Art Unit: 1644

Examiner: P. Gambel

Our Ref.: TSRI 419.0 Con 1

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RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

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This communication is in response to the Restriction Requirement January 14, 2002 (Paper No. 20). The response is filed with a request for a one month extension of time and the requisite fee of \$110.00, thus making this response a timely filing.

Responsive to the Restriction Requirement mailed, Applicants hereby provisionally elect, with traverse, the species B) breast tumor growth (that actually reads "bread" tumor growth in the Action) recited in paragraph 2, if no generic claim is finally held to be allowable.

Applicant traverses the restriction of the eight species recited in paragraph 2 on the basis that the generic claims recite a multiplicity of species that do not require an unduly extensive and burdensome search. All the generic claims recite the $\alpha\text{v}\beta 3$ antagonist having an

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antibody specificity. A search of the prior art with the antagonist as specified in the context of the present invention generically will result in a compilation of relevant pathological conditions without undue burden.

The Action requests that Applicants identify those claims that read on the species elected under paragraph 2. Applicants submit that the following claims are readable on the elected species: claims 171-188; 205-221; 222-239; 240-251; 252-269 and 270-286.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayments regarding the subject application to our Deposit Account No. 19-0962.

Respectfully submitted,

March 6, 2002
Date

Emily Holmes
Emily Holmes, Reg. No. 40,655

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